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Attorney General claims poultry litter likely caused E. coli outbreak

by: World Capitol Bureau
Friday, February 13, 2009
2/13/2009 4:09:26 PM

Complete coverage: Read all the stories related to the E. Coli outbreak and search a database of state restaurant inspections.

OKLAHOMA CITY -- Poultry litter was likely the cause of an E. coli 0111 outbreak in August at Country Cottage in Locust Grove, said Oklahoma Attorney General Drew Edmondson on Friday.

The outbreak left Chad Ingle of Pryor dead and 300 ill.

Edmondson said that based on an investigation by his environmental protection unit, it appears that poultry litter spread as fertilizer made its way into the well the restaurant had been using.

Edmondson said it is "highly likely" the well was the source of the contamination. But he said he is not prepared to say that is the case "beyond a reasonable doubt."

He said human or other animal contamination in the well had been ruled out.

He said poultry houses engaged in land application of waste were within a quarter of a mile from the well.

He said he had no idea if the conclusions of his office would have any bearing on his suit against several poultry companies.

Edmondson has alleged the spreading of poultry litter has polluted the Illinois River watershed.

A spokesman for one of the poultry companies named in Edmondson's lawsuit said the attorney general had "just added to his record of making unsubstantiated claims" and was "desperate to win or settle a lawsuit that should never have been brought."

"There has never been a single documented instance of a water-borne bacteriological disease being caused by the use of poultry litter," Tyson spokesman Gary Mickelson said in a prepared statement. "We have not seen any sampling results and no one with the state of Oklahoma has contacted us about the situation in Locust Grove. In addition, we believe it's simply irresponsible for Mr. Edmondson to make such speculative claims about the Locust Grove matter before the investigation has even been completed."

The Oklahoma Department of Environmental Quality on Wednesday and Thursday will be in Locust Grove to conduct free inspections and water sampling on private wells. The agency will test for bacteria in private wells within a five-mile radius of Locust Grove.

Residents with private wells who are interested in testing can call a 24-hour hotline by the close of business on Monday. The number is (800) 522-0206.

Up to 7,000 tons of poultry litter is generated annually within that area, said Dan Lennington, a attorney with Edmondson's Environmental Protection Unit.

For more on this story, read Saturday's Tulsa World.

Associate Images:





Attorney General Drew Edmondson holds a press conference regarding dangers to watershed from poultry litter runoff. DARYL WILSON/Tulsa World

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Katv.com, 2-13-09

Oklahoma DEQ to Sample Private Water Wells

posted 7:16 pm Fri February 13, 2009 - Oklahoma City, OK

from Channel 7 - <http://www.katv.com/news/stories/0209/594918.html>

Despite an Oklahoma Health Department finding that poultry litter was probably not the source of a deadly E. coli outbreak last year in northeast Oklahoma, Attorney General Drew Edmondson is blaming Arkansas poultry farms.

The Oklahoma Department of Health said previously it was unlikely that well water caused the outbreak at the Country Cottage Restaurant in Locust Grove last August. One person died and more than 300 others were sickened. The department said investigators who examined the well did not find bacteria of the type that killed one person and sickened 300 others.

Meanwhile, the state Department of Environmental Quality said Friday it would conduct additional sampling of private water wells next week within a five-mile radius of Locust Grove to ensure the safety of drinking water in the area.


Edmondson has filed a lawsuit accusing 13 Arkansas-based poultry companies of polluting the Illinois River Watershed with bird waste. The poultry litter is spread across pastures, and it ends up contaminating wells, he alleges. Attorneys for the companies say the lawsuit is unfounded and that Edmondson's claims are unsubstantiated.

At a news conference Friday, Edmondson released findings of a report from attorneys with his Environmental Protection Unit. The report concludes that the well at the buffet restaurant is contaminated with poultry waste and associated bacteria, including E. Coli.

Tyson Foods spokesman Gary Mickelson said Edmondson, "has just added to his record of making unsubstantiated claims."

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Edmondson links litter, E. coli cases

by: BARBARA HOBEROCK and KIM ARCHER World Staff Writers
Saturday, February 14, 2009
2/14/2009 2:49:27 AM

OKLAHOMA CITY — Poultry litter was likely the cause of an E. coli O111 outbreak in August at Country Cottage in Locust Grove, Oklahoma Attorney General Drew Edmondson said Friday.

The outbreak left one person dead and 300 ill.

Edmondson said that based on a months-long investigation by his environmental protection unit, it appears that poultry litter spread as fertilizer made its way into an unpermitted well that the popular restaurant had been using.

Edmondson said it is "highly likely" the well was the source of the contamination.

"I am not prepared to say that we could prove it beyond a reasonable doubt," the attorney general said. "But in the wake of this kind of evidence, it would be foolish not to take precautions and it would be a dereliction of duty not to appropriately warn the public."

Human or other animal contamination in the well had been ruled out, Edmondson said. Poultry houses engaged in land application of waste were within a quarter of a mile from Country Cottage, he said.

But both the state public health labs and the U.S. Centers for Disease Control and Prevention sampled and tested the restaurant's well water early in the department's investigation. While other bacteria was found in the well, E. coli O111, was never found, health officials said.

The Oklahoma State Department of Health is expected to release its final report on the months-long investigation into the outbreak later this month.

Although health officials are certain the outbreak was connected to the Country Cottage restaurant, the report is expected to say that the exact source of contamination has not been pinpointed and may never be found, officials said.

Health department spokeswoman Leslea Bennett-Webb referred all calls regarding Edmondson's assertion to his office.

Edmondson filed a federal lawsuit in 2005, alleging that 13 poultry companies are legally responsible for poultry waste that has damaged the Illinois River watershed.

Edmondson has said he will not seek another term as attorney and is considering a run for governor in 2010.

He said he had no idea if the conclusions of his office's investigation of the Country Cottage would have any bearing on his suit against the poultry companies.

A spokesman for one of the companies sued by Edmondson said "there has never been a single documented instance of water-borne bacteriological disease being caused by the use of poultry litter."

"We have not seen any sampling results and no one with the state of Oklahoma has contacted us about the situation in Locust Grove," said Gary Mickelson, a spokesman for Tyson. "In addition, we believe it's simply irresponsible for Mr. Edmondson to make such speculative claims about the Locust Grove matter before the investigation has even been completed."

Tulsa attorney Mark Smiling, who represents Country Cottage, did not respond to a request for comment.

Early in the investigation of the E. coli outbreak, the Tulsa World reported the restaurant only used its private well water when there were pressure problems with the city water. Locust Grove Mayor Shawn Bates had said there was a city water break Aug. 10.

People who were sickened by the E. coli O111 had eaten at the restaurant the weekend following the water main break. Chad Ingle, who died Aug. 24, had eaten at Country Cottage on Aug. 17.

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Well testing offered

The Oklahoma Department of Environmental Quality will be in Locust Grove on Wednesday and Thursday to conduct free inspections and water sampling on private wells within a five-mile radius.

Up to 7,000 tons of poultry litter is generated annually within that area, said Dan Lennington, an attorney in the Environmental Protection Unit for Attorney General Drew Edmondson.

Residents with private wells who are interested in testing can call a 24-hour hot line by the close of business on Monday. The number is (800) 522-

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Official cites litter in death from cafe

BY ROBERT J. SMITH

Posted on Sunday, February 15, 2009

URL: <http://www.nwanews.com/adg/News/252414/>

Oklahoma Attorney General Drew Edmondson blames chicken manure used as fertilizer near a restaurant for causing a disease outbreak that led to the death of a man from Pryor, Okla.

A six-page memo about the attorney general's investigation, provided to the Arkansas Democrat-Gazette on Saturday, describes how investigators last September began looking into the August death of Chad Ingle and illnesses of 313 other people who ate at the Country Cottage Restaurant in Locust Grove, Okla.

Edmondson claimed the restaurant's well was polluted by poultry litter, describing the material as a "possible source" of the bacteria.

"We're now convinced the E. coli came from the well, and the Health Department is, too," Edmondson said.

Arkansas poultry companies on Saturday criticized Edmondson's investigation. Tyson Foods of Springdale and Simmons Foods of Siloam Springs, two of the eight poultry companies sued by Edmondson's office in 2005, have poultry farmers under contract who raise chickens near Locust Grove, 35 miles west of Siloam Springs.

"What I can say is this is an act of desperation on the part of Drew Edmondson," said John Elrod, a Fayetteville attorney who represents Simmons Foods.

Edmondson on Saturday didn't limit his criticism to the Arkansas poultry industry.

He criticized the Oklahoma State Department of Health for initially saying the disease outbreak wasn't linked to the restaurant's well, and he faulted the Oklahoma Department of Agriculture, Food and Forestry for putting promotion of agriculture ahead of its regulation of it.

He said a different agency should regulate agriculture.

Edmondson's office on Friday asked other state agencies to respond to his investigation. The state's Department of Environmental Quality said it would take samples from groundwater wells in the Locust Grove area.

Edmondson asked for the state Agriculture Department to ban poultry litter as fertilizer in southern Mayes County, but the agency hasn't said whether it will. If the department refuses, Edmondson said he may pursue a federal court injunction to stop litter spreading in "Mayes County or anywhere else" in Oklahoma.

Edmondson also pushed the state Health Department to investigate potential sources of the strain of E. coli known as "O111" in the Locust Grove area.

Discussions with the federal Environmental Protection Agency and the Centers of Disease Control and Prevention will occur if the state agencies ignore the guidance, Edmondson said.

Gary Mickelson, a spokesman for Tyson Foods, complained of Edmondson's "record of making unsubstantiated claims."

"There has never been a single, documented instance of a water-borne bacteriological disease being caused by the use of poultry litter," Mickelson wrote in an e-mail. "We have not seen any sampling results, and no one with the state of Oklahoma has contacted us about the situation in Locust Grove."

By Saturday morning, Linda Moore, the owner of the Locust Grove restaurant, was just becoming familiar with Edmondson's bid to connect poultry litter to the E. coli. The restaurant is open, and its use of well water last August was a temporary one.

"We use city water," said Moore, saying she didn't have an opinion about whether poultry litter polluted the well. "We don't use that well at all."

"I'd like to put all this behind. I pray."

Doris Ingle, whose son Chad Ingle died Aug. 24 after eating at Country Cottage a week earlier, said Edmondson called her Thursday to warn her about Friday's announcement.

"It'll never go away," Ingle said. "It just keeps resurfacing."

"All [Edmondson] told me is they knew the source and it was this water. He didn't mention poultry. I don't know what to believe."

Elrod accused Edmondson of harming Ingle's family.

"The thing that upsets me so much is there are people who got sick and one poor guy who died," Elrod said. "The attorney general is using those poor people for his own cynical ends."

The six-page memo about the investigation shows some Oklahoma officials aren't comfortable with Edmondson's link between the disease outbreak and poultry litter, a combination of bird manure and either rice hulls or wood chips that's spread on fields to fertilize crops.

Edmondson said he asked Dan Lennington and Trevor Hammons, assistant attorneys general, to check into the outbreak. The two men began detailing their findings in meetings with the Oklahoma Department of Environmental Quality on Jan. 20, the state Health Department on Jan. 21 and the state Agriculture Department on Feb. 3.

Agriculture Secretary Terry Peach at the Feb. 3 meeting said he'd been "burned" by the attorney general's office in the past. He said he was skeptical that Edmondson "could ever prove that the poultry waste in the Country Cottage well came from a largescale

commercial poultry operation," the memo reads.

"[Peach] gave an example that the waste could have come from 'an old lady spreading poultry litter on her garden,'" the attorney general's office memo reads.

Peach didn't return telephone messages left Saturday at his home.

Edmondson said Kristy Bradley, the state epidemiologist, acknowledged in meetings with more than 10 other state officials that it's "highly likely" that the outbreak stems from the groundwater well.

He said the Health Department investigation was incomplete because the agency failed to properly trace what caused the outbreak.

"She will avoid saying it publicly because it's embarrassing to the Health Department," Edmondson said. "They ought to be embarrassed."

Oklahoma Secretary of Environment J.D. Strong was at the meeting where Bradley used the term "highly likely" and said Edmondson correctly characterized what she said. Bradley on Saturday didn't return telephone messages left at her home.

It isn't entirely clear how Edmondson's investigation of the E. coli affects the federal lawsuit against Tyson, Simmons and six other poultry companies. The federal lawsuit, which is based on the companies' operations in the Illinois River watershed, accuses the companies of polluting the river's watershed with poultry litter.

While the Country Cottage restaurant isn't in the watershed, Edmondson in court hearings last year was unable to identify anyone sickened by poultry litter. Edmondson told the court he didn't have to find a sick person to prove poultry litter is a threat to human health.

Attorneys for the poultry companies said Saturday they believe Edmondson's comments about poultry and the well could influence the jury pool for the federal court case.

Simmons Foods in 2007 asked the federal court at Tulsa to approve a change of venue, allowing the case to be heard in Wichita, Kan. The federal court hasn't ruled on the request.

The trial is scheduled for late this year.

"There's a lot of misinformation out there," Elrod said. "Whether this is an attempt by Edmondson to influence the jury pool, I can't say."

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Contact: webmaster@nwanews.com

From your corner of the world ... to the world in your backyard

The Daily Times

AG looks for E. coli poultry link

Sommer Woodward

Staff Reporter

February 16, 2009 12:17 pm

— The State Attorney General wants to know if poultry litter caused a severe E. coli outbreak in Locust Grove.

The Oklahoma Department of Environmental Quality (DEQ) will inspect and sample the water in private wells within a five mile area of Locust Grove. The tests are scheduled for Wednesday and Thursday, Feb. 18-19.

“The goal is to protect the public,” said Attorney General Drew Edmondson. He said homeowners who use well water within five miles of Locust Grove can call to have their wells tested. He said the testing is to give homeowners information about what is in their wells so they can make informed decisions.

The AG office is investigating a

possible link between the E. coli

outbreak at the Country Cottage restaurant in Locust Grove and poultry litter contamination in the well water.

“We thought there were questions not being asked and answers not being provided,” said Edmondson.

In September 2008, the state health department tested the Country Cottage well water. Leslea Bennett-Webb, with the State Health Department, said

several contaminants were found in the well water, including E. coli, but E. coli 0111, the strain responsible for the outbreak, wasn’t one of them. Bennett-Webb said the health department wasn’t able to find E. coli 0111 among many

potential sources for the outbreak, including food, food surfaces, handlers and the well. However, she said the health department cannot rule out the well water as a possible source. But the health department can’t rule out the food, handlers or food surfaces in the kitchen as possible sources either. The health department is still working on their investigation.

“This was such a big deal,” she said. “We’re taking this really, really seriously. We looked and looked and looked for the cause and we’ve not yet been able to say ‘this is the smoking gun.’”

Edmondson said his office is concerned with how the E. coli found got into the well water in the first place.

DEQ states porous soil in the Locust Grove area makes water wells more susceptible to contamination during heavy rainfall events in agriculture areas. Edmondson said the AG’s investigation concluded the well water is a likely source of the E. coli outbreak since the health department

couldn’t find a source inside the kitchen. He said the only known source of E. coli was in the well. “Where did it come from?” Edmondson asked.

An AG report identified the well is a possible source, and it’s unlikely human waste contributed to the E. coli in the well.

The report states a significant poultry population is raised within a 5-mile radius of the restaurant. The report shows 39 active poultry houses in a 5-mile area which produce between 5,000 to 7,000 tons of waste each year. The poultry waste is land applied within the vicinity of Country Cottage. The land is at a gradient which provides a pathway for bacterial transport. Also, a principal component analysis revealed a unique “chicken signature” at more than one location in water samples at and near Country Cottage.

The AG’s office concluded the likely source of the bacteria in the Country Cottage well is poultry waste, that the waste is a possible cause of the outbreak and the specific strain, E. coli 0111, has been found in poultry waste.

“It is important to note most

bacteria that makes people have gastrointestinal illness is a result of animal waste,” said Bennett-Webb. But with E. coli 0111, the source tends to be cattle. “We’re not finding that strong of a link with poultry waste.” The AG’s office recommended the Oklahoma Department of Agriculture, Food and Forestry (ODAFF) place an immediate ban on the land application of poultry waste in southern Mayes County. Edmondson said the ODAFF has opted not to issue a ban. An investigation is ongoing into possible well water contamination and other potential sources of E. coli 0111. Edmondson said his office seeks to keep the public informed on the findings of the investigation. The Oklahoma Department of Agriculture, Food and Forestry will collect litter application records, soil and litter test results from July 1 through Dec. 31, 2008, from specific application sites specified by the Attorney General’s office. Residents with private wells who are interested in testing can call DEQ’s 24-hour hotline at (800) 522-0206 by close of business, Monday, Feb. 16, to schedule an appointment.

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Disagreement over poultry contamination

February 17, 2009 09:11 am

— The Associated Press

OKLAHOMA CITY — Attorney General Drew Edmondson says it is “highly likely” that well water polluted by poultry litter was to blame for a deadly E. coli outbreak last year, but his evidence is circumstantial and state health officials wouldn’t comment on his claims.

The Oklahoma Department of Health said previously it was unlikely that well water caused the outbreak last August at the Country Cottage Restaurant in Locust Grove. The department said investigators who examined the well did not find bacteria of the type that killed one person and sickened 300 others.

Meanwhile, the state Department of Environmental Quality said Friday it would conduct additional sampling of private water wells within a five-mile radius of Locust Grove to ensure the safety of drinking water in the area.

The restaurant was required to use only city water before it was allowed to reopen.

Edmondson has filed a lawsuit accusing 13 Arkansas-based poultry companies of polluting the Illinois River watershed with bird waste. The poultry litter is spread across pastures, and it ends up contaminating wells, he alleges.

Attorneys for the companies say the lawsuit is unfounded and that Edmondson’s claims are unsubstantiated. In a news conference Friday, Edmondson released findings of a report from attorneys with his Environmental Protection Unit. The report concludes that the well at the buffet restaurant “is, and has been, contaminated with poultry waste and associated bacteria, including E. coli.”

“Because this well was used in food preparation around the time of the outbreak, it is possible that the well and its poultry-waste-contaminated groundwater was a source of the outbreak,” the report said.

Edmondson’s lawsuit against the poultry companies, filed in 2005 in U.S. District Court in Tulsa, alleges that excessive land application of poultry waste, which contains nitrogen, phosphorus and potassium as well as bacteria, antibiotics, growth hormones and harmful metals, could be a danger to public health.

The attorney general’s report states that there are 49 poultry houses within a six-mile radius of Locust Grove that have the capacity to produce 10,000 tons of waste a year. It also states that there is insufficient pasture land to dispose of all of the waste near the houses.

The attorney general’s office said the poultry houses are affiliated with two Arkansas-based companies, Tyson Foods and Simmons Foods, which are among the 13 named in the federal lawsuit.

A spokesman for Tyson, Gary Mickelson, said Edmondson “has just added to his record of making unsubstantiated claims.”

“There has never been a single documented instance of a water-borne bacteriological disease being caused by the use of poultry litter,” Mickelson said. “In addition, we believe it’s simply irresponsible for Mr. Edmondson to make such speculative claims about the Locust Grove matter before the investigation has even been completed.

“Mr. Edmondson is desperate to win or settle a lawsuit that should never have been brought.”

The bacterial outbreak last August was the largest in the nation’s history for the rare E. coli strain O111. Chad Ingle, 26, of Pryor, died Aug. 24, a week after eating at the restaurant. In addition, 341 people became sick and 72 were hospitalized. Several young children required dialysis after they became ill.

State Department of Health spokeswoman Lesley Bennett-Webb said the agency is conducting its own investigation and declined comment on the attorney general’s findings.

She said her agency is completing its report in consultation with the Centers for Disease Control and Prevention.

The agency took samples of water from the Country Cottage’s well shortly after the outbreak and concluded it was unlikely that well-water contamination was the source of the outbreak.

Disagreement over poultry contamination

"We did not find the causative agent in those water samples," Bennett-Webb said.

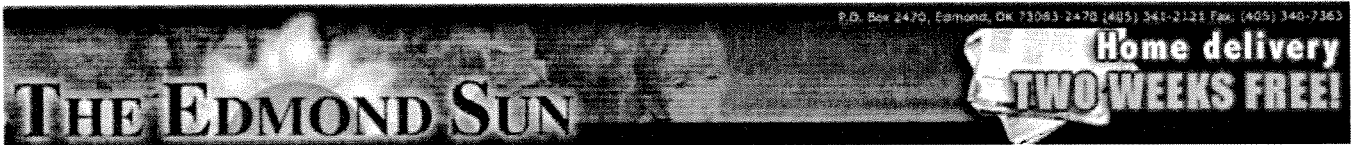
But Edmondson said that does not rule out the Country Cottage well as the source of the contamination.

"It's a highly likely source," he said. "Since you don't find it, does that mean it wasn't there at the time? They simply couldn't find it in the samples that they took."

The attorney general's report said samples taken by the Department of Environmental Quality found E. coli bacteria in the Country Cottage well, but not of the strain that sickened the people. But, some samples have not been typed as to strain, said Edmondson's spokesman, Charlie Price.

Price said seven private water wells were tested within three-quarters of a mile of Locust Grove for the attorney general's report, and three tested positive for E. coli.

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Study: Poultry industry potential cause of E. coli outbreak

By **RAY MARTIN**
State Capitol News Service

OKLAHOMA CITY March 03, 2009 05:49 pm

— A new study has pointed the finger at the poultry industry as the possible cause of last fall's deadly E. coli outbreak in northeast Oklahoma and intensified the political friction between Attorney General Drew Edmondson and some state lawmakers.

The largest breakout of E. coli 0111 — a deadly bacteria that is spread through human or animal waste — killed one person and sickened hundreds who ate at the Country Cottage restaurant in Locust Grove last August.

The restaurant reopened in November, but investigations are continuing to determine the exact source of the bacteria.

Edmondson, a Democrat who has announced plans to run for governor last year, released the results of an investigation in mid-February asserting that poultry waste was the source of the outbreak. But poultry companies, including Tyson Foods, and some state legislators countered that Edmondson's conclusions were unfounded.

A new study released by the Oklahoma Department of Environmental Quality last week appeared to lend credence to Edmondson's claims. It found that 59 of 74 tested wells in northeast Oklahoma, home to numerous poultry farms, showed indicators of environmental pollution. Of those 59 wells, 17 tested positive for E. coli.

"This certainly helps our case," Edmondson said. "It's not conclusive, it's not beyond a reasonable doubt, but it's stronger."

The study, however, did not indicate which specific types of E. coli that were present in the tested wells. Leslea Bennett-Webb, a spokeswoman for the Oklahoma Department of Health, said most types of E. coli are harmless. She said E. coli 0111 is a rare form of suga toxin — a category of E. coli that makes people sick, often fatally.

Webb said there is no peer-reviewed research that shows linkage between E. coli 0111 and anything but animal or human fecal matter. Edmondson said his investigation showed the disease came from the intestines of an animal rather than a human.

"We know it was either beef or chicken," he said. "There aren't any cattle feedlots in the area. There are, though, plenty of chicken farms. People don't like the claim because it strikes at the heart of how they do business. If it turns out, beyond a reasonable doubt, to be poultry, then people will have to change the way they do business. No company wants to do that."

Edmondson said the bacteria found in the wells around Country Cottage were similar to the bacteria found a year ago after a nearby E. coli outbreak in the area surrounding the Illinois River. In that case, Edmondson said, experts testified that poultry waste was the cause.

"This is the exact same part of the state," he said. "And it's the same result."

The Department of Health still is conducting research to try to identify the source of the bacteria. Webb said the department has tested all of the wells surrounding the restaurant, all of the food handlers and the restaurant itself, and is still unable to identify the source. She said the results of the research will not be released for some time.

"We're still searching to find out exactly where this came from," she said. "That's the big mystery. And there are a lot of factors to consider. Some of these wells were in pretty bad shape."

Webb declined to comment on whether linking the breakout to poultry waste is a reasonable conclusion or just conjecture.

Rep. Doug Cox, R-Grove, said he thinks Edmondson's claims are not based on solid facts.

"As a physician, I tend to work with the facts," Cox said. "I feel like the attorney general worked mainly off of suppositions. He hasn't demonstrated the scientific facts, and the health department hasn't come to those conclusions. He's made clean water one of his missions, and I'm for clean water, but this is just bad publicity for the poultry industry."

Edmondson disagreed. "The only scientists who are talking about this are saying it's poultry," he said. "To my knowledge, the poultry industry hasn't hired any scientists to examine the bacteria and the wells to try to determine the source for themselves. That's irresponsible."

Edmondson said the solution to the problem is to change the way the industry deals with poultry waste. It should either be confined so it will not spread or treated chemically to eliminate its potential to harm humans, he said.

RAY MARTIN is a senior journalism student at the University of Oklahoma who is writing a weekly legislative report for the Oklahoma Press Association.

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Associated Press

Mayor criticizes Okla. AG amid E. coli probe

By JUSTIN JUOZAPAVICIUS , 03.03.09, 04:31 PM EST



The mayor of Locust Grove is criticizing Oklahoma Attorney General Drew Edmondson, accusing him of unfairly attacking his community by suggesting a deadly E. coli outbreak could have been caused by contamination from nearby poultry farms.

"It just doesn't make sense this is coming out all of a sudden, and why there's an attack on our town," Mayor Shawn Bates said Tuesday.

Meanwhile, state health officials continued to analyze at least 17 samples taken from private water wells in the Locust Grove area that showed E. coli. Results on which strains of the bacteria they found could be available this week.

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Skylar McElhaney, spokeswoman for the state's Department of Environmental Quality, said Tuesday that about 20 more wells need to be sampled.

As the probe continues, Locust Grove Mayor Shawn Bates questioned why his community of 1,500 was being singled out and said he wished state officials "would show the same concern of wells in other people's towns."

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He was referring to an announcement last month by Edmondson, who implied that the outbreak could have been the result of poultry litter pollution.

Edmondson is suing 13 Arkansas poultry companies in federal court, claiming that the excessive land application of chicken waste in the 1 million-acre Illinois River watershed could be a danger to public health. A trial is set for September.

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Companies named in that complaint include **Tyson Foods Inc.** (nyse: TSN - news - people), Tyson Poultry Inc., Tyson Chicken Inc., Cobb-Vantress Inc., **Cal-Maine Foods Inc.** (nasdaq: CALM - news - people), Cargill Inc., Cargill Turkey Production L.L.C., George's Inc., George's Farms Inc., Peterson Farms Inc., Simmons Foods Inc., Cal-Maine Farms Inc. and Willow Brook Foods Inc.

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The attorney general's office did not immediately return a phone call seeking comment Tuesday.

Previously, health officials had pinpointed the Country Cottage as the source of the unsolved August outbreak, which became the largest in the nation's history for the E. coli O111 strain.

But Edmondson released a report concluding that the well at the popular buffet-style eatery "is, and has been, contaminated with poultry waste and associated bacteria, including E. coli." His report also noted 49 poultry houses within a six-mile radius of Locust Grove that have the capacity to produce 10,000 tons of waste a year.

The poultry industry has denied these claims, saying that tests did not identify "any link between bacteria in water wells and poultry."

"(Edmondson's) not proven anything at this point," Bates said. "Unfortunately, it looks like his way of attacking the poultry industry one more time.

"I'm not saying there doesn't need to be some reform in that area, (but) we're dealing in opinions, not facts," he said.

After Edmondson's announcement last month, state health agencies began testing private wells near the town for free.

Last week, the Department of Environmental Quality announced that out of the first batch of 74 wells tested, 59 were positive for total coliform bacteria, a group of bacteria that indicate environmental pollution.

Seventeen of those 59 showed E. coli, which is typically associated with human or animal waste.

Another batch of 25 samples were taken last week - 15 resamples from the first round of tests and 10 first-time samples.

The results of the newest round are still unavailable.

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Greenberg Claims He Was Deceived By AIG

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Break The AIG Bonus Contracts

Michael M. Thomas

If they don't like it, let them sue!

Charges fly over E. coli case

by: RANDY KREHBIEL World Staff Writer
Wednesday, March 04, 2009
3/4/2009 3:08:21 AM

Two state representatives and Attorney General Drew Edmondson traded charges Tuesday over Edmondson's assertion that poultry litter runoff probably caused a deadly E. coli outbreak at a Locust Grove restaurant last August.

Edmondson said on Feb. 13 it was "highly likely" that a well at the Country Cottage restaurant was the source of the contamination.

Reps. Doug Cox, R-Grove, and Don Armes, R-Faxon, said Edmondson, a Democrat who is considering running for governor, is "grandstanding," and his claim concerning the Locust Grove incident proves his lawsuit against poultry producers in northeastern Oklahoma's watershed is crumbling.

"After three years of litigation and reportedly spending \$25 million on experts, Mr. Edmondson has failed to come up with any evidence that poultry producers are violating state environmental regulations," Armes said. "He has not provided the court with any evidence that anyone's health has been affected by the use of poultry litter on farmland in the Illinois River watershed."

Charlie Price, a spokesman for the attorney general, said the two legislators were "spouting the poultry company line" and guilty of numerous inaccuracies, including the linking of the Locust Grove incident with the poultry lawsuit.

A press release from Armes and Cox said that Edmondson had "wasted millions of taxpayer dollars on frivolous litigation," but the Attorney General's Office says almost all of the state's cost in the poultry litigation is being borne by outside attorneys working on contingency.

Price said Edmondson sticks by his earlier statement concerning the Locust Grove well, despite Cox and Armes' claim that it has been ruled out as a source of the illness.

"Tests conducted by the Department of Environmental Quality, the Health Department and the Centers for Disease Control all point to the Country Cottage well as the likely source of the outbreak," Price said. "It's clear from the representatives' error-laden press statement that they do not have the results of these investigations at their disposal. If the representatives had contacted our office before spouting the poultry company line, we would have been happy to brief them. That invitation still stands."

According to the Department of Environmental Quality, 85 wells have been tested in the Locust Grove area in the past two weeks. At least 17 contained E. coli, with some results pending.

It is not known whether the E. coli found was of the 0111 strain that killed one person and sickened dozens more.

Meanwhile, Locust Grove Mayor Shawn Bates said he isn't sure what to think of Edmondson's claim.

"I don't have an opinion," he said. "I'd just like to see some facts."

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AG: Agency 'botched' E. coli hunt

by: BARBARA HOBEROCK World Capitol Bureau
Tuesday, March 10, 2009
3/10/2009 2:59:25 AM

OKLAHOMA CITY — Oklahoma Attorney General Drew Edmondson charged Monday that a state agency "botched" the investigation into an outbreak of E. coli 0111 in August in Locust Grove.

Edmondson said the Oklahoma State Department of Health said publicly that a water well at the Country Cottage restaurant was not the source of the outbreak but that a department official told other officials in at least three meetings that it was the source.

The statements were made by Dr. Kristy Bradley, the state epidemiologist, Edmondson said.

"I am saying they botched the investigation and are very reluctant to admit they botched the investigation," he said.

After an investigation by his office, Edmonson said Feb. 13 that poultry litter was the likely cause of the E. coli 0111 outbreak that left one person dead and more than 300 ill.

Edmondson is suing poultry companies, alleging that excess chicken litter spread as fertilizer is contaminating eastern Oklahoma watersheds.

"In light of the previous inaccurate statements, I would think it would be incumbent upon them to set the record straight and to be honest with the public that pays their salaries," Edmondson said of the Health Department.

He said the agency couldn't be more certain about the source of the outbreak because it did not take samples from all of the restaurant's food handlers. It didn't believe or falsely assumed that it could not force someone to be tested, but state law gives it that power, he said.

That omission is why the agency can't rule out a food service worker, he said.

"I have been very disappointed she and they have not been (honest), and that has left me hanging out there as the only person saying the well was the likely source in public when part of the basis for my saying it was what I was hearing from the state epidemiologist," Edmondson said.

His own investigation ruled out human contamination or cattle waste as the source of the contamination in the well, he said.

The Health Department did not respond specifically to Edmondson's accusation but issued a statement outlining its efforts and findings.

No E. coli 0111 was identified in samples from the restaurant's well, ill food handlers or other sources, said Leslea Bennet-Webb, a spokeswoman for the department. The agency did not respond to a request for a response from Bradley.

Bennet-Webb said the department released several updates indicating that no E. coli 0111 had been found after extensive testing.

"Because the disease-causing organism was not found, the OSDH has not been able to eliminate from consideration any of these potential vehicles for transmission of the bacteria into the restaurant, including well water," she said.

"It should be noted that even if the OSDH had tested all restaurant employees, testing methods would not have confirmed whether an employee transmitted the E. coli 0111, or became ill as customers did by eating at the restaurant."

Gary Mickelson, a spokesman for Tyson Foods, one of the companies Edmondson is suing, said the attorney general is "desperately trying to manufacture evidence" to connect poultry litter to the outbreak.

"Apparently, any state agency unable or unwilling to go along with his scheme is subject to public criticism,"

he said.

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Associate Images:



LEVELS CHARGE

Drew Edmondson: He says the state epidemiologist privately contradicted her agency's public statements on the bacteria's source.

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State Agency Responds To AG's Remarks

posted 4:26 pm Tue March 10, 2009 - Oklahoma City

from NewsChannel 8 - <http://www.ktul.com/news/stories/0309/602468.html>

The state health department said Tuesday it was "disheartening" to hear comments from Attorney General Drew Edmondson claiming the agency "botched" its probe into an unsolved E. coli outbreak that killed one man and sickened hundreds more.

Edmondson's remarks, made Monday to the Tulsa World, came weeks after he suggested that the deadly August outbreak at the popular Country Cottage eatery in Locust Grove might have been caused by pollution from nearby poultry farms.

He alleged that the health department publicly said the well at the buffet-style restaurant was not the source of the rare E. coli O111 strain, but told other officials in several meetings that it was the source.

Leslea Bennett-Webb, a spokeswoman for the health department, said Tuesday that its final report on the investigation would show that her department "went to extraordinary efforts, using all available known science regarding E. coli O111, to determine the exact mode of transmission of the bacteria in the restaurant.

"While comments to the contrary are disheartening, we are continuing our efforts to focus on the job of putting finishing touches on our investigation's final report and issuing it for public review," she said in a statement.

Last month, Edmondson released a report concluding that the well at the Country Cottage "is, and has been, contaminated with poultry waste and associated bacteria, including E. coli." His report also noted 49 poultry houses within a six-mile radius of Locust Grove that have the capacity to produce 10,000 tons of waste a year.

The poultry industry has repeatedly denied these claims.

Edmondson is suing 13 Arkansas poultry companies in federal court, claiming that over-application of chicken waste in the 1 million-acre Illinois River watershed could be a danger to public health.

On Wednesday, Edmondson is due at the 10th U.S. Circuit Court of Appeals in Denver, arguing his appeal of a judge's order refusing to stop poultry companies from disposing of bird waste in the watershed.

The larger pollution lawsuit is set for September.

Bennett-Webb noted an extensive investigation done by her department in attempts to pinpoint the source of the outbreak, including "microbiological testing of food products and food preparation and serving surfaces in the restaurant."

She also said restaurant employees who reported being ill were tested, and that "multiple samples" were taken from a private well on the property, water filters and the town's water supply.

"No E. coli O111 was identified in any of these potential vehicles for transmission of the bacteria," she said. "They all continue to remain as a possible means for the spread of E. coli O111."

After Edmondson's announcement last month on the Country Cottage, state agencies began testing private wells near Locust Grove for free.

As of last week, 85 private wells had been tested and officials said there were plans to test 22 more.

Twenty wells out of the group showed positive for E. coli bacteria, which is typically associated with human or animal waste.

On Friday, the health department said it was shipping seven cultures from the initial batch of wells that tested positive for E. coli to the U.S. Centers for Disease Control and Prevention for final analysis.

Results could come this week.

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Rhetoric ramping up as E. coli questions persist

OUR VIEWS: AG VS. HEALTH DEPARTMENT

The Oklahoman Editorial
Published: March 11, 2009

THE volume is increasing — on one side, at least — in the feud between the attorney general's office and the Department of Health over testing of water wells in northeastern Oklahoma. When the din subsides, will we be closer to knowing what caused a deadly E. coli outbreak there?

On Monday, Attorney General Drew Edmondson ripped the Health Department in general and epidemiologist Dr. Kristy Bradley in particular, saying the agency botched its investigation into the outbreak that killed one man and sickened more than 300 last year. Those affected had eaten at a popular restaurant in Locust Grove.

Edmondson told the Tulsa World that in public, the Health Department said the restaurant's well wasn't the source of the outbreak, but that Bradley told officials during at least three meetings that it was the source.

Last month, Edmondson said poultry litter was the likely cause of the E. coli outbreak. He is embroiled in a lawsuit with poultry companies over disposal of chicken waste in northeastern Oklahoma.

"I have been very disappointed she and they have not been (honest) and that has left me hanging out there as the only person saying the well was the likely source in public, when part of the basis for my saying it was what I was hearing from the state epidemiologist," Edmondson said.

We have supported the attorney general's effort to ensure a clean watershed, although his pronouncement last month seemed speculative and self-serving. Apparently, something has changed since Jan. 21 when members of his staff first met with Bradley — she didn't respond to Edmondson's latest broadside — and other Health Department officials to discuss the outbreak. A memo from the two staffers said it was "a very positive back-and-forth dialogue" and that Bradley said her agency "would be very interested in doing a study looking at feces from animals in the area (including cows and chickens) that might help determine the source of the outbreak."

Edmondson is in Denver today hoping to get a federal appeals court to grant an injunction to stop poultry companies from dumping their waste in the watershed. His first attempt was rejected. Meantime, he's dealing with an Associated Press report that a scientific journal has twice rejected a microbiologist's method for tracking how chicken waste gets into the water supply. Edmond's office dismissed the report, saying the poultry industry tried to meddle with the peer-review process.

The poultry lawsuit is one issue. The other, more pressing issue, is to find, if possible, what caused so much damage in Locust Grove. It's difficult to believe Bradley and her agency, scientists charged with helping ensure Oklahomans' health, haven't been driving to do exactly that.

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E. coli strain inside Locust Grove wells not linked to outbreak

TEST RESULTS ARE 'OF LITTLE COMFORT,' EDMONDSON SPOKESMAN SAYS

BY KIM ARCHER - Tulsa World
Published: March 12, 2009



A sign advertising its fare stands in front of the Country Cottage restaurant in Locust Grove on Sept. 16. The eatery was linked to an E. coli outbreak. AP PHOTO

The rare and virulent strain of E. coli that sickened hundreds and killed a Pryor man last August was not found in any of the Locust Grove water wells sampled by the state environmental quality agency.

But three other types of disease-causing E. coli bacteria — O141, O179 and O113 — were found in a few wells, according to a joint announcement by the state's health, agriculture and environmental quality departments. The O111 strain was identified as the culprit in the outbreak.

"This information is very helpful. However, we're still analyzing additional samples taken from that area," said Leslea Bennett-Webb, spokeswoman for the Health Department.

Results came in Tuesday from the federal Centers for Disease Control and Prevention, she said.

Feb. 13, Oklahoma Attorney General Drew Edmondson announced it was "highly likely" that well contamination from poultry waste runoff in the Illinois River

watershed caused the deadly E. coli outbreak, which sickened people who ate at a popular eatery last summer.

The Department of Environmental Quality sampled private wells in the Locust Grove area.

Of the 74 wells tested, 59 were positive for total coliform bacteria, a group of bacteria that indicate environmental pollution. Seventeen wells tested positive for E. coli bacteria, Bennett-Webb said.

"It boiled down to the fact that three wells had disease-causing E. coli," she said. They are associated with cattle, sheep or other ruminant animals, she said.

Early in its investigation, the Health Department ruled out Country Cottage restaurant's well. E. coli bacteria were found in the well, but none were disease-causing strains, Bennett-Webb said.

Edmondson spokesman [Charlie Price](#) said the fact "that none of these three E. coli bacteria are type O111 is of little comfort when illness-causing bacteria is still found in these wells."

On Monday, Edmondson said the Health Department had "botched" its investigation.

Edmondson, who has announced he may run for governor, sued 13 [Arkansas](#) poultry companies in 2005, alleging chicken waste used to fertilize crops could be a danger to public health.

"These findings are additional proof of the inaccuracy of the attorney general's unsubstantiated claim of a connection between poultry litter and last year's unfortunate outbreak," said [Gary Mickelson](#), a spokesman for [Tyson Foods](#), a company Edmondson is suing.

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Deadly E. coli O111 absent from sampled wells

by: KIM ARCHER World Staff Writer
Thursday, March 12, 2009
3/12/2009 2:36:06 AM

The rare and virulent E. coli O111 that killed a Pryor man and sickened hundreds of other people in August was not found in any of the Locust Grove wells sampled recently by the state environmental quality agency.

But three other types of disease-causing E. coli bacteria — O141, O179 and O113 — were found in a few wells, the state's Health, Agriculture and Environmental Quality departments said in a joint announcement.

Leslea Bennett-Webb, a spokeswoman for the Oklahoma State Department of Health, said: "This information is very helpful. However, we're still analyzing additional samples taken from that area."

The results came in Tuesday from the federal Centers for Disease Control and Prevention, she said.

Oklahoma Attorney General Drew Edmondson announced Feb. 13 that it was "highly likely" that poultry waste runoff into the Illinois River watershed caused the deadly E. coli outbreak. At his urging, the Department of Environmental Quality sampled private wells in the Locust Grove area.

Of 74 wells tested, 59 were found to have total coliform bacteria, a group of bacteria that indicate environmental pollution. Seventeen wells tested positive for E. coli bacteria, which is associated with human or animal waste, Bennett-Webb said.

"It boiled down to the fact that three wells had disease-causing E. coli," she said. They are associated with cattle, sheep or other ruminant animals, she said.

Early in its investigation, the Health Department ruled out the well water at the Country Cottage restaurant in Locust Grove. E. coli bacteria were found in the well, but none were disease-causing strains, Bennett-Webb said.

But Edmondson's spokesman, Charlie Price, said the fact "that none of these three E. coli bacteria are type O111 is of little comfort when illness-causing bacteria is still found in these wells. The CDC has confirmed what we suspected all along, that harmful bacteria is seeping into the groundwater. It's imperative that the agencies continue their work to identify the cause."


Edmondson had declared just Monday that the Health Department had "botched" its investigation.

Edmondson, who has announced that he might run for governor, filed a lawsuit against 13 Arkansas poultry companies in 2005, alleging that chicken waste used to fertilize crops in the Illinois River watershed could be a danger to public health.

Gary Mickelson, a spokesman for Tyson Foods Inc., one of the companies that Edmondson is suing, said the latest findings "are additional proof of the inaccuracy of the attorney general's unsubstantiated claim of a connection between poultry litter and last year's unfortunate outbreak."

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Okla. AG: Litter could be cause of other bacteria

March 13, 2009 2:38 PM ET

TULSA, Okla. (AP) - Even though his investigators tested only one well in a town where a deadly E. coli outbreak took place last year, Oklahoma Attorney General Drew Edmondson thinks poultry litter contamination could be responsible for the bacteria found in other wells in the area.

"I think so, but I'm not prepared to say with the strength that I did on Country Cottage that (poultry litter pollution) is the likely source," Edmondson told The Associated Press in an interview this week.

Last month, Edmondson suggested the unsolved August outbreak at the popular Locust Grove eatery could have been due to contamination from nearby poultry farms, a claim the industry denies.

The mass illness became the largest in the nation's history for the rare E. coli strain O111, killing one man and sickening hundreds more.

Edmondson issued a report concluding that the well at the restaurant "is, and has been, contaminated with poultry waste and associated bacteria, including E. coli."

The report also noted 49 poultry houses within a six-mile radius of Locust Grove that have the capacity to produce 10,000 tons of waste a year.

After his announcement, state investigators began testing wells in the area for free. Nearly 110 have been tested so far, according to Skylar McElhaney, spokeswoman for the state's Department of Environmental Quality.

Twenty of those wells tested positive for E. coli bacteria, which is typically associated with human or animal waste.

But a final analysis returned this week by the federal Centers for Disease Control and Prevention did not find the rare O111 strain.

It did identify three other types of E. coli bacteria: O141, O179, and O113 — all capable of causing illness in humans.

Jackie Cunningham, a spokeswoman for the poultry industry, said the CDC results prove that "there is no connection between poultry litter and the unfortunate E. coli outbreak in Locust Grove last year."

"We applaud (state Department of Health) officials for not bowing to politics or pressure," she said. "And, we're especially pleased that poultry farmers have been exonerated in this investigation."

But Edmondson said even though the particular O111 strain had not been found, other disease-bearing E. coli were identified in other wells near the town.

"To this day, the other wells in that area would not be tested if we hadn't brought the heat on (state officials) a month ago based upon work that my office did in the same arena," he said.

Edmondson is suing 13 Arkansas poultry companies in federal court, claiming that the excessive land application of chicken waste in the 1 million-acre Illinois River watershed could be a danger to public health. A trial is set for September.

Companies named in Edmondson's lawsuit include Tyson Foods Inc., Tyson Poultry Inc., Tyson Chicken Inc., Cobb-Vantress Inc., Cal-Maine Foods Inc., Cargill Inc., Cargill Turkey Production L.L.C., George's Inc., George's Farms Inc., Peterson Farms Inc., Simmons Foods Inc., Cal-Maine Farms Inc. and Willow Brook Foods Inc.

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